

# Memorandum



**Date:** June 2, 2015

**To:** Honorable Chairman Jean Monestime  
and Members, Board of County Commissioners

**From:** Carlos A. Gimenez  
Mayor

Agenda Item No. 3(B)(1)

**Subject:** Resolution Approving Terms of and Authorizing the Mayor, the Mayor's Designee, or the Miami-Dade Transit Director to Execute a Supplemental Joint Participation Agreement with the Florida Department of Transportation to Amend the Original Project Description from Route 119 to Route 120 Bus Service

## **RECOMMENDATION**

It is recommended that the Board of County Commissioners (Board) approve the terms of, and authorize the Mayor, the Mayor's designee, or the Miami-Dade Transit Director to execute a Supplemental Joint Participation Agreement (Agreement) in substantially the form attached hereto, with the Florida Department of Transportation (FDOT) to amend the original project description from Route 119 (also known as Route S) to Route 120 (also known as Beach MAX) bus service. This amendment will allow \$594,199.00 in State Public Transit Service Development Program funding provided in the original Agreement for Route 119 to be utilized instead for service improvements on Route 120.

It is further recommended that the Board authorize the receipt and expenditure of funds as specified in the Agreement.

## **SCOPE**

While this project is located in Commissioner Audrey M. Edmonson's District 3, Commissioner Sally A. Heyman's District 4 and Commissioner Bruno A. Barreiro's District 5, the impact of the project benefits the riding public and is therefore, countywide.

## **FISCAL IMPACT/FUNDING SOURCE**

On May 16, 2014, the FDOT executed a Joint Participation Agreement (JPA) with the County to provide \$594,199.00 in State funding assistance for Route 119 bus service (R-302-14). The County provided the \$594,199.00 local match for that Route through Miami-Dade Transit's (MDT) operating funds (Operating Expenditure Index Code MT710800) for a total agreement of \$1,188,398.00. Since this Supplemental Agreement provides no additional funds, there is no fiscal impact to the County.

The current annual operating cost for Route 120 is approximately \$6,367,000.00. The difference between the operating cost for this route and the amount received from the State will be funded through the Department's annual operating budget. FDOT has programmed additional funding in Fiscal Year 2016 for Route 120 bus service.

## **TRACK RECORD/MONITOR**

MDT has entered into numerous funding agreements with FDOT over the course of more than 27 years. The Grant Manager for this agreement is Ed Carson, MDT Financial Services.

## **BACKGROUND**

The Public Transit Service Development Program is authorized in Chapter 341.051(5) (e) of the Florida Statutes and provides funding for the improvement or expansion of public transit services with a focus on innovative technologies, marketing, community outreach, and other techniques used for increasing

service to the riding public. Service Development Program projects are limited to three (3) years or less in duration. If determined to be successful, the project must be continued without additional Service Development Program funds.

On April 8, 2014, the Board approved the execution of a JPA with FDOT through Resolution R-302-14 to provide \$594,199.00 in Public Transit Service Development Program funding for service improvements to Route 119. However, in accordance with the adopted 2014 *MDT10Ahead* TDP Recommended Service Plan, MDT will not be implementing any service improvements to Route 119 and is instead proposing to improve service frequency for Route 120.

Specifically, as part of the Transit Development Plan (TDP) development process, MDT utilized a survey instrument to gather input from the general public (both transit and non-transit users) regarding MDT services. Survey results showed that increased frequency of Metrobus service was the highest transit priority. Further, a review of MDT services indicated that while Route 119 (Agreement-Attachment B) is presently operating at full capacity, Route 120 (Agreement-Attachment A) has become the preferred route for passengers traveling long distances, as the travel times are shorter since Route 120 offers limited stop service. Therefore, Route 120 consistently experiences a lack of seating and increased overcrowding during the peak periods.

Routes 119 and 120 follow the same general alignment between Aventura Mall and Downtown Miami. The only area where no duplication exists is between 5th and 17th Streets on Miami Beach, where Route 120 operates on Washington Avenue and Route 119 operates on Alton Road.

MDT is proposing to improve service frequency of Route 120 on weekdays and weekends. The frequency of weekday service would improve from 12 to 7 1/2 minutes and evening service would improve from 30 to 20 minutes. Service will improve on Saturday from 15 to 12 minutes and on Sunday from 30 to 15 minutes. This Agreement will amend the project description from Route 119 bus service to Route 120 and will allow MDT to use the \$594,199.00 State funding provided in the original agreement for service improvements on Route 120.

FDOT has endorsed the change in scope as requested via this Supplemental Agreement.



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Alina T. Hudak  
Deputy Mayor



# MEMORANDUM

(Revised)

**TO:** Honorable Chairman Jean Monestime  
and Members, Board of County Commissioners

**DATE:** June 2, 2015

**FROM:**   
R. A. Cuevas, Jr.  
County Attorney

**SUBJECT:** Agenda Item No. 3(B)(1)

Please note any items checked.

- ☐ "3-Day Rule" for committees applicable if raised
- ☐ 6 weeks required between first reading and public hearing
- ☐ 4 weeks notification to municipal officials required prior to public hearing
- ☐ Decreases revenues or increases expenditures without balancing budget
- ☐ Budget required
- ☐ Statement of fiscal impact required
- ☐ Ordinance creating a new board requires detailed County Mayor's report for public hearing
- ☒ No committee review
- ☐ Applicable legislation requires more than a majority vote (i.e., 2/3's \_\_\_\_, 3/5's \_\_\_\_, unanimous \_\_\_\_ ) to approve
- ☐ Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved \_\_\_\_\_ Mayor  
Veto \_\_\_\_\_  
Override \_\_\_\_\_

Agenda Item No. 3(B)(1)

6-2-15

RESOLUTION NO. \_\_\_\_\_

RESOLUTION APPROVING TERMS OF AND AUTHORIZING MAYOR, MAYOR'S DESIGNEE OR MIAMI-DADE TRANSIT DIRECTOR TO EXECUTE A SUPPLEMENTAL JOINT PARTICIPATION AGREEMENT WITH THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION AMENDING THE ORIGINAL PROJECT DESCRIPTION FROM ROUTE 119 (ROUTE S) BUS SERVICE TO ROUTE 120 (BEACH MAX); AUTHORIZING THE USE OF PUBLIC TRANSIT SERVICE DEVELOPMENT GRANT PROGRAM FUNDING IN THE AMOUNT OF \$594,199.00 FOR SERVICE IMPROVEMENTS ON ROUTE 120 BUS SERVICE INSTEAD OF ROUTE 119; AUTHORIZING THE RECEIPT AND EXPENDITURE OF FUNDS AS SPECIFIED IN THE AGREEMENT AND ANY ADDITIONAL FUNDS AS SPECIFIED IN THE AGREEMENT SHOULD THEY BECOME AVAILABLE; AND AUTHORIZING USE OF CHARTER COUNTY TRANSPORTATION SYSTEM SURTAX FUNDS FOR SUCH PURPOSE

**WHEREAS**, this Board desires to accomplish the purposes outlined in the accompanying memorandum, a copy of which is incorporated herein by reference,

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that:**

**Section 1.** This Board approves the supplemental agreement with the State of Florida Department of Transportation ("FDOT"), in substantially the form attached hereto and made a part hereof, amending the original project description from the Route 119 (Route S) bus service to the Route 120 (Beach Max), and authorizes use of the \$594,199.00 in Public Transit Service Development Program funding for service improvements on the Route 120 instead of the Route 119 and the use of Charter County Transportation System Surtax funds for such purpose.

**Section 2.** This Board further authorizes the Mayor, the Mayor's designee, or the Miami-Dade Transit Director to execute the supplemental agreement, to receive and expend any additional Public Transit Service Development Program funds as specified in the supplemental agreement should they become available, so long as no additional County matching funds are required.

**Section 3.** The County staff is authorized to furnish such additional information as FDOT may require in connection with the application for this project.

The foregoing resolution was offered by Commissioner ,  
who moved its adoption. The motion was seconded by Commissioner  
and upon being put to a vote, the vote was as follows:

Jean Monestime, Chairman

Esteban L. Bovo, Jr., Vice Chairman

Bruno A. Barreiro

Jose "Pepe" Diaz

Sally A. Heyman

Dennis C. Moßs

Sen. Javier D. Souto

Juan C. Zapata

Daniella Levine Cava

Audrey M. Edmonson

Barbara J. Jordan

Rebeca Sosa

Xavier L. Suarez

The Chairperson thereupon declared the resolution duly passed and adopted this 2<sup>nd</sup> day of June, 2015. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this Resolution and the filing of this approval with the Clerk of the Board.

MIAMI-DADE COUNTY, FLORIDA  
BY ITS BOARD OF  
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: \_\_\_\_\_  
Deputy Clerk

Approved by County Attorney as  
to form and legal sufficiency.



Bruce Libhaber

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION  
**PUBLIC TRANSPORTATION**  
**SUPPLEMENTAL JOINT PARTICIPATION AGREEMENT**  
**Number ONE**

725-030-07  
PUBLIC TRANSPORTATION  
06/11  
Page 1 of 4

Financial Project No.: <u>43294118401</u> <small>(Item-segment-phase-sequence)</small>	Fund: <u>DPTO/DS</u>	FLAIR Category: <u>088774</u>
Contract No.: <u>AR484</u>	Function: <u>632</u>	Object Code: <u>750012</u>
Catalog of Federal Domestic Assistance Number: <u>N/A</u>	Federal No.: <u>N/A</u>	Org. Code: <u>55062020629</u>
	DUNS No.: <u>80-939-7102</u>	Vendor No.: <u>F596000573129</u>
Catalog of State Financial Assistance Number: <u>55012</u>		

THIS AGREEMENT, made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 2014, by and between the STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION, an agency of the State of Florida, hereinafter referred to as the Department, and Miami-Dade Transit  
701 NW 1st Court, Suite 1300, Miami, FL 33136  
hereinafter referred to as Agency.

WITNESSETH:

WHEREAS, the Department and the Agency heretofore on the 16th day of May, 2014, entered into a Joint Participation Agreement; and

WHEREAS, the Agency desires to accomplish certain project items as outlined in the Attachment "A" appended hereto; and

WHEREAS, the Department desires to participate in all eligible items for this project as outlined in Attachment "A" for a total Department Share of \$594,199.00

NOW, THEREFORE THIS INDENTURE WITNESSETH: that for and in consideration of the mutual benefits to flow from each to the other, the parties hereto agree that the above described Joint Participation Agreement is to be amended and supplemented as follows:

- 1.00 Project Description:** The project description is amended
- to provide Miami-Dade Transit Service Development Grant Program funding for the operational costs of the Route 119 - along SR A1A from Aventura Mall to Downtown Miami in Miami-Dade County. Participation is 50/50 (State/Local)
  - Scope is amended to provide operational costs instead for Route 120 - along SR A1A from Aventura Mall to Downtown Miami with limited stops and faster service. Agreement Time Extension is provided as well.

**2.00 Project Cost:**

Paragraph 3.00 of said Agreement is decreased by \$0.00  
bringing the revised total cost of the project to \$1,188,398.00

Paragraph 4.00 of said Agreement is decreased by \$0.00  
bringing the Department's revised total cost of the project to \$594,199.00

**3.00 Amended Exhibits:**

Exhibit(s) B of said Agreement is amended by Attachment "A".

**4.00 Contract Time:**

Paragraph 18.00 of said Agreement June 30th, 2017

**5.00 E-Verify**

Vendors/Contractors:

1. shall utilize the U.S. Department of Homeland Security's E-Verify system to verify the employment eligibility of all new employees hired by the Vendor/Contractor during the term of the contract; and
2. shall expressly require any subcontractors performing work or providing services pursuant to the state contract to likewise utilize the U.S. Department of Homeland Security's E-Verify system to verify the employment eligibility of all new employees hired by the subcontractor during the contract term.



Financial Project No. 43294118401

Contract No. AR484

Agreement Date \_\_\_\_\_

Except as hereby modified, amended or changed, all other terms of said Agreement dated May 16th, 2014  
and any subsequent supplements shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have caused these presents to be executed, the day and year first  
above written.

AGENCY

Miami-Dade Transit  
AGENCY NAME

\_\_\_\_\_  
SIGNATORY (PRINTED OR TYPED)

\_\_\_\_\_  
SIGNATURE

\_\_\_\_\_  
TITLE

FDOT

See attached Encumbrance Form for date of Funding  
Approval by Comptroller

\_\_\_\_\_  
LEGAL REVIEW  
DEPARTMENT OF TRANSPORTATION

\_\_\_\_\_  
DEPARTMENT OF TRANSPORTATION

D6 - Director of Transportation Development  
TITLE

Bruce Tebhaber  
Approved as to form  
and legal sufficiency

Financial Project No. 43294118401  
Contract No. AR484  
Agreement Date

ATTACHMENT "A"  
SUPPLEMENTAL JOINT PARTICIPATION AGREEMENT

This Attachment forms an integral part of that certain Supplemental Joint Participation Agreement between the State of Florida, Department of Transportation and Miami-Dade Transit  
701 NW 1st Court, Suite 1300, Miami, FL 33136

dated 5/16/2014

DESCRIPTION OF SUPPLEMENT (Include justification for cost change):

- to amend the scope of the original agreement from funding MDT Route S (Route 119) to the operational costs of Route 120 as requested by Miami-Dade Transit. Agreement time extension is also provided.

I.	Project Cost:	As Approved	As Amended	Net Change
		\$1,188,398.00	\$1,188,398.00	\$0.00
	Total Project Cost	\$1,188,398.00	\$1,188,398.00	\$0.00
II.	Fund Participation:	As Approved	As Amended	Net Change
	Department:	\$594,199.00	\$594,199.00	\$0.00
	Agency:	\$594,199.00	\$594,199.00	\$0.00
	Total Project Cost	\$1,188,398.00	\$1,188,398.00	\$0.00

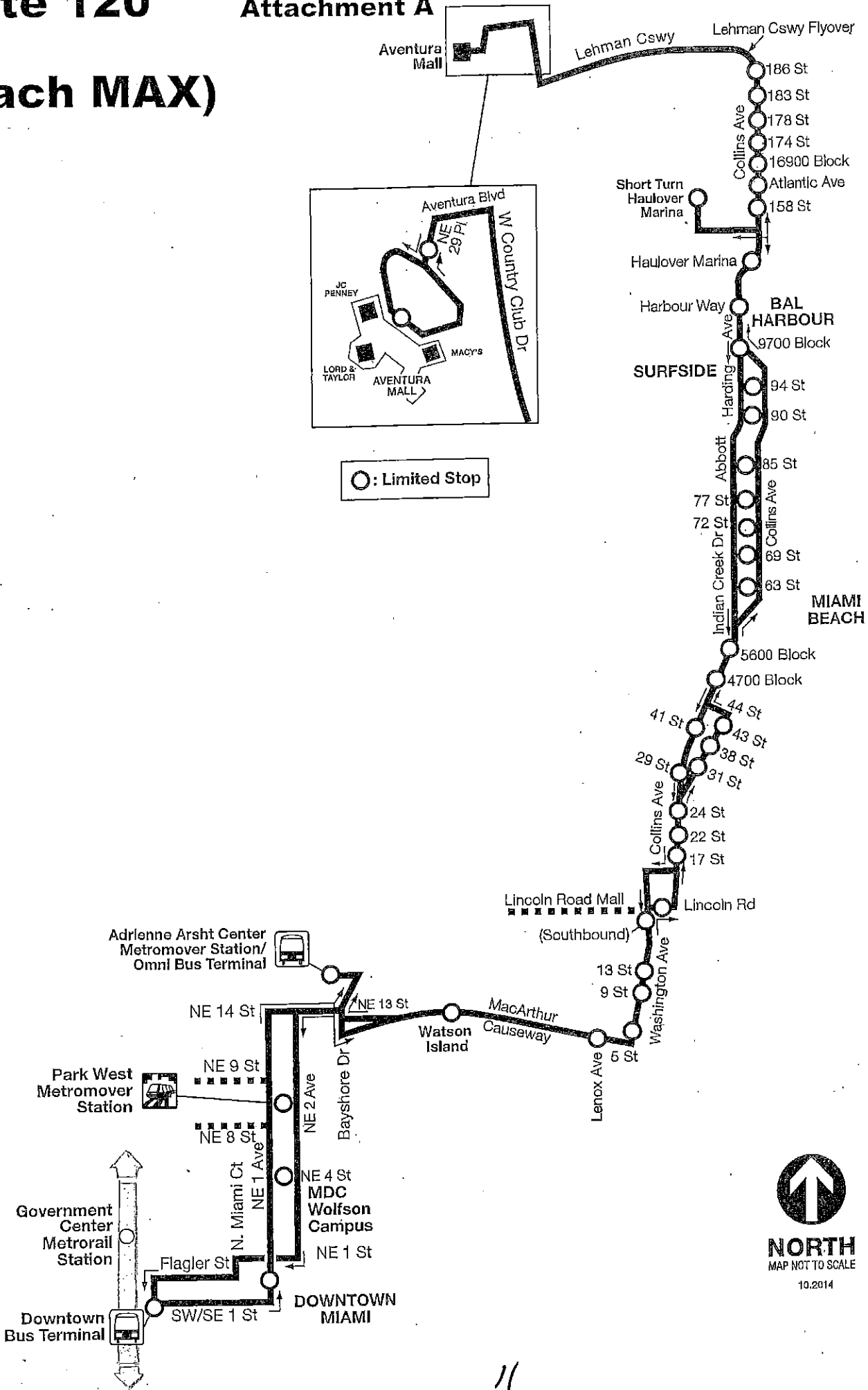
Comments:

- As stated in the letter request from Miami-Dade Transit, after award of the Service Development Program Grant for the submitted project (Route 119), MDT performed a Transit Service Evaluation Study. The study informed MDT that the similar service route 120 (with limited stops and faster service) was in greater need for service increase than route 119.

# Route 120

(Beach MAX)

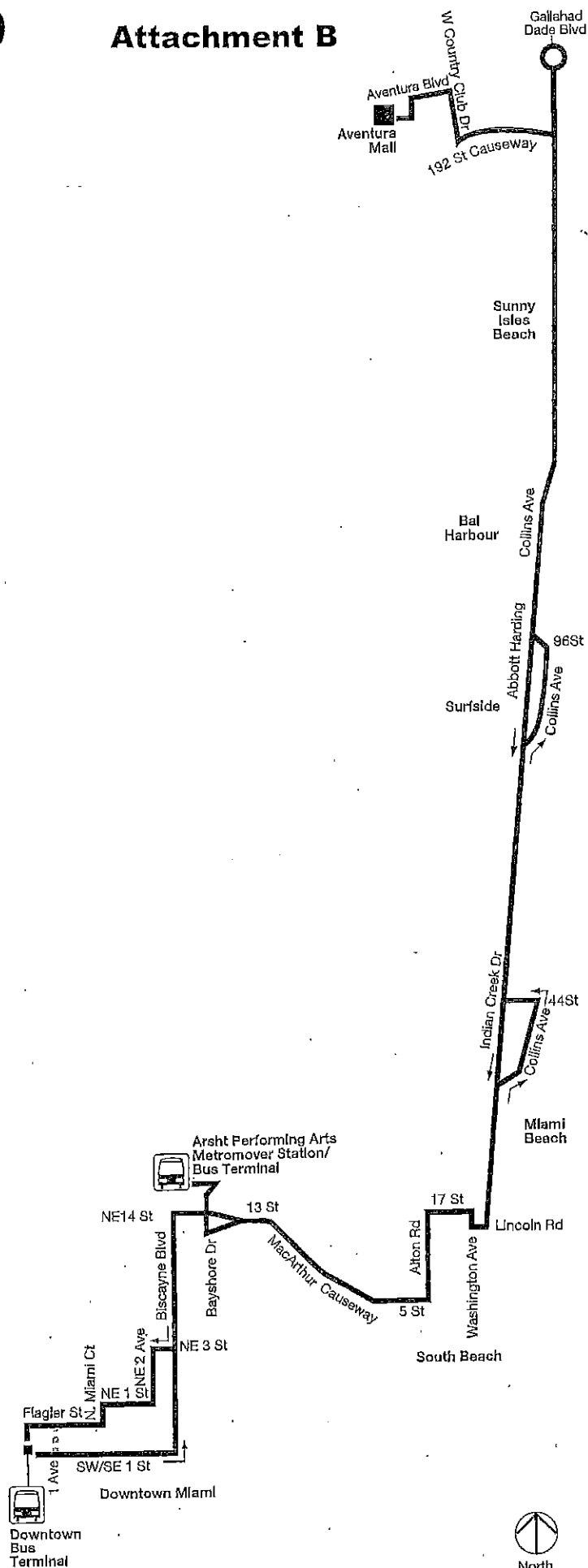
## Attachment A



# Route 119

## (Route S)

### Attachment B



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## Memorandum



**To:** Honorable Chairman Jean Monestime  
and Members, Board of County Commissioners

**From:** Charles Scurr, Executive Director

*Charles Scurr for*

**Date:** May 21, 2015

**Re: CITT AGENDA ITEM 5D:**

RESOLUTION BY THE CITIZENS' INDEPENDENT TRANSPORTATION TRUST (CITT) RECOMMENDING THE BOARD OF COUNTY COMMISSIONERS (BCC), APPROVING TERMS OF AND AUTHORIZING MAYOR, MAYOR'S DESIGNEE OR MIAMI-DADE TRANSIT DIRECTOR TO EXECUTE A SUPPLEMENTAL JOINT PARTICIPATION AGREEMENT WITH THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION AMENDING THE ORIGINAL PROJECT DESCRIPTION FROM THE ROUTE 119 BUS SERVICE TO THE ROUTE 120; AUTHORIZING THE USE OF PUBLIC TRANSIT SERVICE DEVELOPMENT GRANT PROGRAM FUNDING IN THE AMOUNT OF \$594,199.00 FOR SERVICE IMPROVEMENTS ON THE ROUTE 120 BUS SERVICE INSTEAD OF THE ROUTE 119; AUTHORIZING THE RECEIPT AND EXPENDITURE OF FUNDS AS SPECIFIED IN THE AGREEMENT; AUTHORIZING RECEIPT AND EXPENDITURE OF ANY ADDITIONAL FUNDS AS SPECIFIED IN THE AGREEMENT SHOULD THEY BECOME AVAILABLE; AND AUTHORIZING USE OF CHARTER COUNTY TRANSPORTATION SYSTEM SURTAX FUNDS FOR SUCH PURPOSE (MDT- BCC Legislative File No. 150992)

On May 20, 2015, the CITT voted (9-0) to forward a favorable recommendation to the Board of County Commissioners (BCC) for the approval of the above referenced item, CITT Resolution No. 15-022. The vote was as follows:

Paul J. Schwiep, Esq., Chairperson – Aye  
Hon. Anna E. Ward, Ph.D., 1st Vice Chairperson – Aye  
Glenn J. Downing, CFP®, 2nd Vice Chairperson – Aye

Joseph Curbelo – Aye  
Alfred J. Holzman – Aye  
Jonathan Martinez – Aye  
Miles E. Moss, P.E. – Absent  
Marilyn Smith – Aye

Peter L. Forrest – Aye  
Prakash Kumar – Aye  
Alicia Menardy, Esq. – Absent  
Hon. James A. Reeder – Absent  
Hon. Linda Zilber – Absent

cc: Alina Hudak, Deputy Mayor/Director Public Works & Waste Management Department  
Bruce Libhaber, Assistant County Attorney

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